



General Assembly

January Session, 2007

Raised Bill No. 7215

LCO No. 4226

04226_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING TRANSCRIPTS OF COURT PROCEEDINGS IN CERTAIN CRIMINAL MATTERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 51-61 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2007*):

3 (a) Each official court reporter, before entering upon the duties of
4 his office, shall be sworn to faithfully perform them and shall then be
5 an officer of the court. He shall attend the court and make accurate
6 records of all proceedings in the court, except sessions of small claims
7 and the arguments of counsel, provided upon the request of any party,
8 he shall make accurate records of the arguments of counsel.

9 (b) Each official court reporter shall, if the judge or judges of the
10 court so direct, employ assistant court reporters and monitors to attend
11 such court as the judge or judges may desire. He shall not employ
12 assistant reporters or monitors receiving a per diem rate to attend any
13 session unless their employment is authorized by the judge holding
14 the session. Each assistant court reporter or monitor, before entering
15 upon his duties, shall be sworn to faithfully perform them.

16 (c) Each official court reporter, assistant court reporter and monitor
17 shall, when requested, furnish to the court, to the state's attorney or
18 any assistant or deputy assistant state's attorney, to any party of record
19 and to any other person, within a reasonable time, a transcript of the
20 proceedings, or such portion thereof as may be desired, except that, if
21 the proceedings were closed to the public, such court reporter or
22 monitor shall not furnish such transcript or portion thereof to such
23 other person unless the proceedings were commenced on or after
24 October 1, 1988, and the court in its discretion determines that such
25 disclosure is appropriate.

26 (d) Whenever a transcript of proceedings, or a portion thereof, has
27 been requested by any party of record pursuant to subsection (c) of
28 this section, the court reporter or monitor shall furnish a transcript or
29 portion thereof, at no cost as provided in subsection (c) of section 51-
30 63, as amended by this act, to (1) the state's attorney, assistant state's
31 attorney or deputy assistant state's attorney, [at no cost as provided in
32 subsection (c) of section 51-63] and (2) if counsel has been appointed to
33 represent the defendant, the public defender, assistant public defender,
34 deputy assistant public defender or special assistant public defender.

35 (e) Whenever a transcript of proceedings, or a portion thereof, has
36 been requested by the state's attorney, assistant state's attorney or
37 deputy assistant state's attorney and the public defender, assistant
38 public defender, [or] deputy assistant public defender or special
39 assistant public defender, the court reporter or monitor shall provide a
40 transcript or portion thereof, in a form that may be photocopied, to
41 either such state's attorney or such public defender and the cost of such
42 transcript, or portion thereof, shall be shared by such state's attorney
43 and such public defender.

44 (f) Each official court reporter, assistant court reporter and monitor
45 shall inform the court whenever a transcript of proceedings, or a
46 portion thereof, has been requested by the state's attorney, assistant or
47 deputy assistant state's attorney or any party of record pursuant to

48 subsection (c) of this section. If such transcript or portion thereof has
49 been requested, the court, upon request, shall receive from such court
50 reporter or monitor a transcript, or portion thereof, at no cost as
51 provided in subsection (c) of section 51-63, as amended by this act.

52 (g) Whenever the court deems it necessary, it may order a transcript
53 of the proceedings, or any part thereof, to be filed with the clerk of the
54 trial court.

55 (h) All records of the proceedings taken on the trial of any action
56 shall, within thirty days after the action has been submitted, be filed
57 with the clerk or the clerk's designee, except that for the purpose of
58 transcribing such records the court reporter or monitor may at any
59 time withdraw them for a reasonable time.

60 Sec. 2. Subsection (c) of section 51-63 of the general statutes is
61 repealed and the following is substituted in lieu thereof (*Effective July*
62 *1, 2007*):

63 (c) In addition to other compensation, official and assistant reporters
64 and monitors shall be entitled to charge a party or other individual
65 three dollars for each transcript page which is or previously was
66 transcribed from the original record as provided by law, provided the
67 charge to any such party or other individual shall be one dollar and
68 seventy-five cents for each page for which a charge of three dollars
69 already has been made, except that (1) the charge to any official of the
70 state, or any of its agencies, boards or commissions or of any
71 municipality of the state, acting in his official capacity, shall be one
72 dollar and fifty cents for each transcript page which is or previously
73 was transcribed from the official record, provided the charge to any
74 such official shall be fifty cents for each page for which a charge of one
75 dollar and fifty cents already has been made, (2) there shall be no
76 charge to the state's attorney, assistant state's attorney or deputy
77 assistant state's attorney, and, if applicable, to the public defender,
78 assistant public defender, deputy assistant public defender or special
79 assistant public defender, for a transcript provided pursuant to

80 subsection (d) of section 51-61, as amended by this act, and (3) there
81 shall be no charge to the court for a transcript provided pursuant to
82 subsection (f) of section 51-61, as amended by this act. For the
83 purposes of this subsection, "transcript page" means a page consisting
84 of twenty-seven double-spaced lines on paper eight and one-half by
85 eleven inches in size, with sixty spaces available per line. The Chief
86 Court Administrator shall adopt policies and procedures necessary to
87 implement the provisions of this section, including but not limited to,
88 the establishment and administration of a system of fees for
89 production of expedited transcripts.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2007	51-61
Sec. 2	July 1, 2007	51-63(c)

Section 1	July 1, 2007	51-61
Sec. 2	July 1, 2007	51-63(c)

Statement of Purpose:

To require that if counsel has been appointed for the defendant, a public defender, assistant public defender, deputy assistant public defender or special assistant public defender shall be provided a transcript at no cost in the same manner as provided to certain state's attorneys upon request of a party and to include special assistant public defenders in the list of those eligible to request and copy transcripts.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]